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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,141

11/25/2003

Ellen Kempin

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EXAMINER

TRUONG, LECHU

ART UNIT

PAPER NUMBER

2194

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/720,141	<b>Applicant(s)</b> KEMPIN, ELLEN	
	<b>Examiner</b> LeChi Truong	<b>Art Unit</b> 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**WILLIAM THOMSON**  
**SUPERVISORY PATENT EXAMINER**

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/25/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1- 19 are presented for the examination.

#### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1- 8, 15-17 are rejected as non-statutory because it is not tangibly embodied.

Claims 1, 15 recite, “propagated signal “. Propagated signal is incapable of being touched or perceived absent the tangible medium through which they are conveyed; therefore, claims 1, 15 are non-statutory.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1-6, 9-16, 18-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (US 6,192,413 B1) in view of Shaler et al (US. Patent 6,557,062 B1).

**As to claim 1**, Lewis teaches the invention substantially as claimed including: message queue (queues, col 2, ln 30-33/ queue 62, col 6, ln 55-57), a message (messages, col 2, l 29-35/ message 54, ln 55-57), a first system executing a first software application of an enterprise

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information technology system to a second system executing a second software application of the enterprise information technology system, (col 2, ln 27-32), one object type (the message type destination, col 2, ln 35-40/ the message type, col 6, ln 50-56/ the heartbeat message , col 7, ln 35-39), wherein each message queue is used only for one object type( col 2, ln 44-46/ col 6, ln 55-57/ col 7, ln 34-40), an indication( the router table 4 of fig.3A indicates that it is the “U” queue identifier which is the selected destination for the incoming message 54, col 6, ln 53-58), receive( the router table 44 is loaded into the memory, col 6, ln 35-37/ “U”queue identifier[indicator] located in the table), an indication of an object type( col 6, ln 50-60) ; identify a message queue used for the object type( col 6, 50-60/ col 2, ln 27-45).

Lee does not explicitly teach perform a registration-related action on the message storage. However, Shaler teaches perform a registration-related action on the message storage, the register enable indicates to the addressed bus slaves 110 which register select signals within RF interface 114 are to be activated for those read or writer commands that affect RF interface, col 8, ln 24-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Lee and Shaler because Shaler’s perform a registration-related action on the message storage would improve the teaching of Lee’s system by providing a minimum number of differential interconnects thereby minimizing a significant source of electro-magnetic coupling.

**As to claim 2**, Lee teaches identified message queue (col 6, ln 50-53) and Shaler teaches perform a registration-related action comprise one or more code segments configured to cause

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de-registration of the message storage such that processing of messages from the message storage is ceased (col 11, ln 1-7).

**As to claim 3**, Shaler teaches registration of the identified message queue such that processing of messages from the identified message queue is started (col 8, ln 24-29).

**As to claim 4**, Shaler teaches perform a registration-related action to enable solving a problem with transferring enterprise application data having the object type to the second application (col 11, ln 1-7).

**As to claim 5**, Lee teaches identifying the message queue comprises identifying a message queue used for the object type based on a name of the object type being included as part of a name of the message queue (col 9, ln 25-31/ col 2, ln 38-48).

**As to claim 6**, Lee teaches identifying the message queue comprises identifying a message queue used for the object type by accessing a data structure having data that associates a name of the message queue and a name of an object type (col 6, ln 50-57/ col 2, ln 38-48).

**As to claims 9-14**, they are apparatus claims of claims 1-3; therefore, they are rejected for the same reasons as claims 1-3 above.

**As to claim 15**, it is an apparatus claim of claims 1-3; therefore, it is rejected for the same reason as claims 1-3 above. In additional, Shaler teaches receiving an indication of registration (col 10, ln 64-ln 67 to col 11, ln 1-7/ col 7, ln 65-67 to col 8, ln 1-5) and Lee teaches returning a queue name of the message queue used for the indicated object type (col 10, ln 18-24).

**As to claims 16, 18-19**, they are apparatus claim of claim 4, 15; therefore, they are rejected for the same reasons as claims 4, 15 above.

4. Claims 7, 8, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (US 6,192,413 B1) in view of Shaler et al (US. Patent 6,557062 B1), as applied to claim 1 above, and further in view of Hoffman (US 6,940814 B1).

As to claim 7, Lee and Shaler do not explicitly teach a sales system. However, Hoffman teaches a sale system (business units, col 1, ln 42-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Lee, Shaler and Hoffman because Hoffman's sale system would improve the efficiency of Lee and Shaler's systems by providing certain quality of service for applications within the subnetwork, such as priority and bandwidth reservation.

As to claim 8, Hoffman teaches a message includes enterprise application data (col 1, ln 42-45).

As to claim 17, it is an apparatus claim of claim 8; therefore, it is rejected for the same reason as claim 8 above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

January 31, 2007

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER